

## Paxton Crew

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**From:** Jim Brown <jim.brown@hfw.com>  
**Sent:** Tuesday, June 16, 2020 10:30 AM  
**To:** Paxton Crew; Alex Mendez; Marc Kutner; John Stevenson; Tom Lightsey; Denise Hebert; Robert Hand  
**Subject:** RE: [EXTERNAL] Reed v. Maersk [HFWHOU-HOUIMAN.FID255043]

Paxton:

I believe you and Marc are addressing point 1 & 2. With regard to Item 3, the stipulation on the electronic navigation, we will stipulate that the navigation data from: (1) MAERSK IDAHO ECDIS, (2) Capt. Marcus Maher's PPU/Raven unit, and (3) Reed's Navionics electronic chart software you obtained from the cloud (not whatever may have been downloaded from the hard-wired unit itself on the boat) fairly and accurately represent the positions/speeds of the vessels. As for Port Vision data, I am unclear as to what you have produced formally and what you may have provided informally. I obviously have no knowledge of any summaries and compilations you may have. This is not a refusal to stipulate – we may have Port Vision data of our own that we want you to stipulate to. I think it is best that we revisit the Port Vision data as we provide one another with exactly what data is being proffered. Does that make sense?

Item 4 – I believe you and Alex are working on this.

Item 5 – We agree to Robins Brice as mediator. Our expert reports are due August 2, 2020. Might August be a better month to mediate?

Let me know. Thanks.

Kind regards  
Jim Brown  
Partner  
HFW

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**From:** Paxton Crew <paxton@thecrewlawfirm.com>  
**Sent:** Monday, June 15, 2020 11:26 AM  
**To:** Jim Brown <jim.brown@hfw.com>; Alex Mendez <alex.mendez@hfw.com>; Marc Kutner <marc.kutner@hfw.com>; John Stevenson <JStevenson@stevensonmurray.com>; Tom Lightsey <tom.lightsey@hfw.com>; Denise Hebert <denise.hebert@hfw.com>; Robert Hand <RHand@stevensonmurray.com>  
**Subject:** [EXTERNAL] Reed v. Maersk

Jim,

Further to our conversations regarding the medical records requests for Chris Reed, we have two issues with them:

1. We have only alleged generic pre-death pain and suffering and mental anguish and funeral expenses for Chris's death, we do not believe you are entitled to his psychiatric records for the same reasons that you were

not entitled to them for the children. You told me you would let me know your position last week, but I have not yet heard a response. We are going to file an objection today, but also a motion for protection. Because this involves a discovery dispute, we will also need your position to put into a joint letter. The inability to get any kind of written response on these issues has led to an issue with following the Court's procedures. If we cannot get a written response on this by 10:00 a.m. tomorrow morning we will file letter and inform the court that we are not receiving responses from Maersk when asked. This is not a complicated matter, just confirm that you will withdraw the DWQ for the psychiatric records and that will solve the problem.

2. Many of the health records are unlimited in time and scope. We believe this should be limited to the last 5 years. If you believe it should be longer, let me know your rationale for that. If you submit an alternative DWQ for records with an appropriate time limit, we will have no problem.

3. We would like to confirm in writing our agreement to stipulate to the data from: 1. The MAERSK IDAHO ECDIS; 2. The RAVEN Data from Capt. Maher's PPU; 3 the Reed's Navionics data; and 4. Any Port Vision data that corresponds to the MAERSK IDAHO or RAVEN Data (this is just for summary and compilation purposes because it is an easier exhibit to work with).

4. We are going to serve subpoenas on Papa Yankeh and David Falkinson once they sign off their respective ships, notice will be provided. We will be happy to arrange a conference room in Norfolk for Mr. Falkinson and Mr. Yankeh. We would like to depose them sometime in July. Kindly let us know their off-time schedule so we can make suitable arrangements.

5. You have indicated you want to mediate with Mr. Robins Brice. We will contact him and arrange dates for second or third week of July. Please confirm your availability and Maersk's and P&I so we can get this set in stone.

Regards,

**Paxton N. Crew**

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